



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

3731/\$  
JFR

In re Application

Inventor(s): James F. Zucherman

Appln. No.: 10/037,236

Confirm. No.: 6669

Filed: November 9, 2001

Title: INTER-SPINOUS PROCESS IMPLANT AND  
METHOD OF DEFLATABLE SPACER

PATENT APPLICATION

Art Unit: 3731

Examiner: Reip, David Owen

Customer No. 23910

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Art Unit 3731, Alexandria, VA 22313-1450, on 11/23/04.

Sheldon R. Meyer, Reg. No. 27,660

Signature Date: 11/23/04

(Attorney Signature)

**RESPONSE TRANSMITTAL LETTER**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Art Unit 3731

Alexandria, VA 22313-1450

Sir:

Transmitted with this communication in connection with the above-identified application are the following:

- ☒ A Response under 37 C.F.R. §1.111 to the Office Action dated 09/23/04.
- ☐ A Response Requirement for Restriction and Preliminary Amendment;
- ☐ A Response under 37 C.F.R. §1.116 to the Office Action dated \_\_\_\_\_.
- ☒ A Petition for an Extension of Time under 37 C.F.R. §1.136.
- ☐ Applicant(s) qualify for small entity status under 37 C.F.R. §1.27.
- ☐ An Information Disclosure Statement pursuant to 37 C.F.R. §1.56.

The fee associated with this communication has been calculated as shown below:

- \_\_\_\_\_ No fee is required with this communication.
- ✓ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established.
- ✓ A fee for extension of time for response under 37 C.F.R. §1.136 filed within 1 month(s) after the original time for response of \$55.00 is due.
- \_\_\_\_\_ A fee of \$180.00 is due for the submission of the accompanying Information Disclosure Statement.
- \_\_\_\_\_ A fee for addition of claims under 37 C.F.R. §1.16 is due as follows:

FEES	Claims Remaining After Amendment	Highest Number Previously Paid For	Present Extra	Rate Small Entity/Other Than Small Entity	Total
TOTAL CLAIMS (37 CFR 1.16(c))	<u>21</u> * -	<u>107</u> **	<u>0</u>	X \$ 9.00 X \$ 18.00	0.00 \$
INDEPENDENT CLAIMS (37 CFR 1.16(b))	<u>6</u> * -	<u>12</u> ***	<u>0</u>	X \$ 44.00 X \$ 88.00	0.00 \$
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))				+ \$150.00 + \$300.00	0.00 \$
				TOTAL	0.00 \$

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number of Previously Paid For" in this space is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" in this space is less than 3, enter "3".

The total fee required with this communication is \$55.00 and is to be paid as follows:

- \_\_\_\_\_ Please charge Deposit Account No. 06-1325 in the amount of \$\_\_\_\_\_. A duplicate copy of this authorization is enclosed.
- ✓ A check in the amount of \$55.00 is enclosed.

✓

The Commissioner is hereby authorized to charge any deficiencies or credit overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Date: 11/23/04

By: 

Sheldon R. Meyer  
Reg. No. 27,660

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